

PROCEEDINGS OF THE COMMON COUNCIL

IN REGULAR SESSION

TUESDAY, SEPTEMBER 23 199 7

**CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL**

**THE COMMON COUNCIL OF THE CITY OF FORT WAYNE MET
IN THE COUNCIL CHAMBERS TUESDAY EVENING SEPTEMBER 23
199 7, IN REGULAR SESSION. **PRESIDENT**
THOMAS C. HENRY **IN THE CHAIR, COUNCIL ATTORNEY**
AND SANDRA E. KENNEDY, CITY CLERK,
AT THE DESK, PRESENT THE FOLLOWING MEMBERS **VIZ:****

BENDER P, CRAWFORD P, EDMONDS Absent,
HALL P, HAYHURST P, HENRY P,
LUNSEY P, RAVINE P, SCHMIDT P,

ABSENT: 1 - Council member

COUNCIL MEMBER

Edmonds, ,
 , ,

THE MINUTES OF THE LAST REGULAR SEPTEMBER 9 199 7
SPECIAL SEPTEMBER 18 199 7
SESSION HAVING BEEN DELIVERED TO THE COUNCIL, WERE, ON
MOTION, APPROVED AND PUBLISHED.

ROLL CALL

COMMITTEE SESSION

SEPTEMBER 23, 1997

CITY OF FORT WAYNE, INDIANA

THE COMMON COUNCIL OF THE CITY OF FORT WAYNE MET
IN THE COMMON COUNCIL CONFERENCE ROOM 128 Tuesday
EVENING September 23 199 7 IN COMMITTEE SESSION.
PRESIDENT Thomas C. Henry, IN THE CHAIR, COUNCIL
ATTORNEY _____, AND SANDRA E. KENNEDY, CITY
CLERK, AT THE DESK, PRESENT THE FOLLOWING MEMBERS _____
VIZ:

BENDER P, CRAWFORD P, EDMONDS Edmonds,
HALL P, HAYHURST P, HENRY P,
LUNSEY P, RAVINE P, SCHMIDT P,

ABSENT: Edmonds

COUNCIL MEMBER



The City of Fort Wayne

Paul Helmke, Mayor

September 23, 1997

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Dear Councilmembers:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-04-93, amending Chapter 157 of the Municipal Code of the City of Fort Wayne, Indiana, 1946.) The proposed ordinance is designated as:

Bill No. Z-97-09-08

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
23rd day of September 1997.

**Council action on this
recommendation must take
place prior to:
December 21, 1997.**

Richard Pierce
Secretary

/pb

xc: File

FACT SHEET

Z-97-09-08

BILL NUMBER

Division of Community Development & Planning

BRIEF TITLE

APPROVAL DEADLINE

REASON

Zoning Map Amendment

From B2B to B1B

DETAILS

POSITIONS

RECOMMENDATIONS

Specific Location and/or Address
Northwest corner of Maplecrest & Rothman Roads.

Reason for Project
Development of McDonald's / AMOCO facility.

Discussion (Including relationship to other Council actions)
15 September 1997 - Public Hearing

(See Attached Minutes of Meeting)

22 September 1997 - Business Meeting

Motion was made and seconded to return the ordinance to the Common Council with a DO NOT PASS recommendation.

Of the nine (9) members present eight (8) voted in favor of the motion, the Chair did not vote.

Motion Carried

Members Present: Linda Buskirk, Jim Dearing, Ernest Evans, DeDe Hall, James Hoch, Charles McNagny, Richard Pierce, Thomas Quirk, Dave Ross

Sponsor

City Plan Commission

Area Affected

City Wide

Other Areas

Applicants/
Proponents

Applicant(s)
AMOCO Oil Co & Joseph Zehr

City Department

Other

Opponents

Groups or Individuals

Basis of Opposition

Staff
Recommendation

☐ For ☐ Against

Reason Against
No recommendation given.

Board or
Commission
Recommendation

By

☐ For ☒ Against
☐ No Action Taken

☐ For with revisions to conditions
(See Details column for conditions)

CITY COUNCIL
ACTIONS
(For Council
use only)

☐ Pass ☐ Other
☐ Pass (as amended) ☐ Hold
☐ Council Sub. ☐ Do not pass

Policy or Program Change	<input type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

Date 14 August 1997

Date 23 September 1997

Date 23 September 1997

Date 23 September 1997

viewed by _____
ference or Case Nun _____

- a. Bill No. Z-97-09-08 - Change of Zone #638
From B2B to B-1-B
Northwest corner of Maplecrest and Rothman Roads

Jon Bomberger, attorney for the petitioners appeared before the Commission. Mr. Bomberger stated that he was there requesting a downzoning of this parcel from B2B to B1B. He presented a conceptual plan for the Commission's review. He stated that the current zoning designation would allow for the use that they want to develop on this parcel. A gas station, convenience store and restaurant. He stated that they are asking for the downzoning because of what he referred to as a "technical anomaly" in the current Zoning Ordinance. He stated that the existing B2B district requires the submission and approval of a primary and secondary development plan for the entire shopping center, before construction can begin. Also, before you can get a portion of the shopping center you must first obtain approval of a primary development plan for the entire center. He stated that this entire property has been zoned B2B since 1978. He stated that there is no current approved primary development plan for the shopping center as a whole. The owner of the land has not progressed to the point where a primary development plan could be presented and approved. He stated that they wish to develop a portion of this site now. He stated that they need a way to develop this site now, without having to develop a primary plan for the surrounding shopping center. He stated that they have worked with the Plan Commission staff and they came up with the plan of downzoning the property. The small corner piece (1.97 acres) of the parcel. He stated that there are a lot of reasons why this rezoning makes sense. He stated that the rezoning does allow for the utilization of the parcel now, as opposed to a later date, or as opposed to using in it the B2B zoning designation. It does provide for them some advantages with regard to the setbacks and the signage regulations, which apply to the B1B zoning classification. He stated that there is no real change in the commercial nature and utilization of this property by rezoning. He stated that the B1B will still require the commercial routing of the structure, prior to pulling building permits. He stated that in the staff comments there was some discussion regarding the landscaping and signage, if the property is rezoned. He stated that with regard to both issues the criticism of their plan was that the B1B requirements with regard to both of those issues were less restrictive than those of the B2B district. He stated that in that regard they are willing to go forward on the basis of an agreement, prior to any construction, to submit an adequate landscaping plan and an adequate signage plan for the staff to review and approve. He presented an artist's rendering of the type of facility that they are planning. He stated that this type of facility is a relatively new development. He stated that the other issue that was brought up in the comments received from staff is the issue of the type of precedent that this may set in this area. He stated that he felt that this property is the very corner parcel of the entire parcel of the shopping center. The type of use that they are talking about is a very distinguishable use from other parcels that might exist in the shopping center. He stated that this use already has a clientele on Rothman Road and Maplecrest Road. He stated that their services are designed to satisfy the needs of the traffic that is already there. He stated that they are a drive by and drive in business. He stated that they are not at all relying upon or dependent upon the eventual development of the shopping center. He stated that their use of the parcel is relatively independent of the shopping center that may be developed on the rest of this parcel. He stated that their sole dependence on the shopping center is the access road for the shopping center that has already been approved. He stated that they have access points that would eventually be located on the entrance roads to the eventual shopping center. He stated that their use does not "play" upon shopping center traffic. He stated that it is a use that could live on this parcel independently for many years without the need for the additional traffic that would be generated from the shopping center. He stated that the other thing to keep in mind is that the remainder of the property is still B2B, and is subject to all the requirements under the development plan for a planned shopping center. He stated that a rezoning requires that we look at five factors that are set forth in the state statutes governing zoning ordinances. In that they must look at the Comprehensive Plan, the current conditions in the area, uses and structures and their status. They must look at the highest and best use of the property, must look at the effect on property values, and how this rezoning will work in principles of responsible growth. He stated that this proposal meets the requirements. He stated that this proposal is clearly consistent with the Comprehensive Plan. The property is already zoned commercially and so the effect on property values is going to be minimal. The property is in an area where the current conditions clearly indicate that commercial development is appropriate. He stated that this property is clearly no longer an agricultural piece of property, no longer residential, it is in its highest and best use as commercial. In light of I-469 and in light of the widening and extension of Maplecrest Road, it is a

prime piece of commercial property. He stated that there were several other issues that are raised regarding this request and they have to do with subdivision control and with the issue of the Red Zone, with regard to sewer taps. He stated that they felt that they could address those issues in terms of an "administrative approval" of a sell off of this parcel. Obviously, the landowner will be prohibited from any further selling off of parcels for a 12 month period. With regard to the Red Zone issue, he stated that they are a very low impact facility in terms of sanitary sewer requirements. He stated that they have done some preliminary investigations with regard to obtaining the appropriate permits from the Board of Public Works and they feel confident that if they obtain this zoning they will be able to proceed. He stated that in conclusion he hoped that the Commission would recognize the uniqueness of this request and help them to deal with the "anomaly" that they faced when they began the process and recommend approval of the downzoning.

Ernest Evans questioned where the proposed access would be for this project.

Mr. Bomberger stated that the entrance road would be from Rothman Road to the shopping center. They would then have access from the internal shopping center road. There would also be a right in only from Rothman Road.

Dave Ross questioned that if the property is rezoned, would it no longer be a part of the shopping center, but would a separate parcel.

Mr. Bomberger stated that was correct.

Ernest Evans stated that he would assume that there would be some kind of agreement with the shopping center so that they would have access to the internal access road through the shopping center.

Mr. Bomberger stated that was correct.

DeDe Hall wanted to know if the developer would be willing to put in writing that they would fall under the standards that are being set out in the Zoning Ordinance Amendment that they are working on and that is close to being approved.

Mr. Bomberger stated that he would need clarification, in that there are some aspects of the ordinance that would not be reasonable to impose on this development. One being the screening between them and the shopping center. He stated that they will agree to submit a landscape plan and a signage plan. He stated that he felt they would more than likely exceed the Commission's expectations in those areas. He stated, however, that he could not, without sitting down with the new amendment to the Zoning Ordinance, agree to something that he was not familiar with at that time.

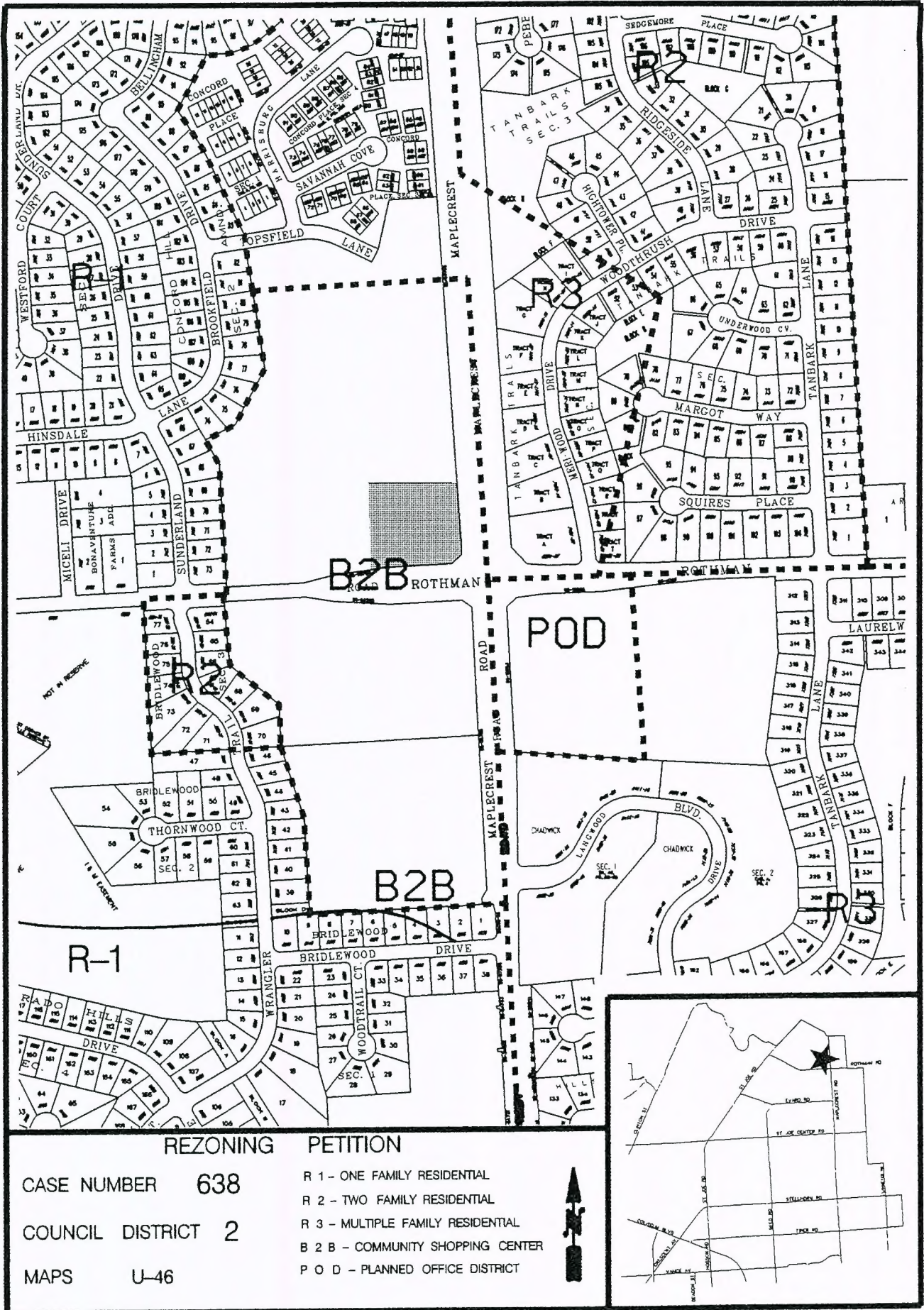
Pat Fahey, Senior Planner with C&ED questioned if there was a general time frame for the development of this project.

Mr. Bomberger stated that it is getting late into the construction season this year, so they are looking at early 1998.

Mr. Fahey asked what the overall acreage was of the entire shopping center parcel.

Mr. Bomberger stated that the entire center is approximately 19 acres, they will be purchasing and using 2 acres.

There was no one else present who spoke in favor of or in opposition to the proposed rezoning.



RESOLUTION OF ZONING MAP AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on September 9, 1997 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated Bill No. Z-97-09-08; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on September 15, 1997.

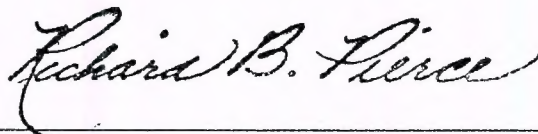
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a **DO NOT PASS** recommendation based on the Commission's following "Findings of Fact".

- 1) Approval may set an unfavorable precedent for the development of the remainder of this center, and other similar centers, which could lead to future development inconsistent with the principles of responsible development and growth.
- 2) Approval would create a situation where unequal development standards would be applied to the overall parcel, resulting in an advantage to this parcel. The Commission advocates equitable standards throughout the community.
- 3) The Site Committee is very concerned with maintaining consistent development plan control over the acreage, and the potential impacts a lack of control could have on property in the vicinity of this site.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held September 23, 1997.

Certified and signed this
23rd day of September 1997.



Richard Pierce
Secretary

**Jon A. Bomberger, attorney for AMOCO OIL COMPANY, and Joseph L. Zehr,
request a change of zone from B-2-B to B-1-B**

Location: Northwest corner of Maplecrest and Rothman Roads.

Legal: See file.

Land Area: Approximately 1.97 acres

Zoning: B-2-B

Surroundings:

North	B-2-B	Undeveloped
South	B-2-B	Undeveloped
East	R-3	Residential
West	B-2-B	Undeveloped / Fire Station

Reason for Request: New development of a McDonald's /AMOCO facility

Neighborhood Assoc.: Concord Hills Neighborhood Association

Comprehensive Plan: The general land use policies of the comprehensive plan state that development proposals should be compatible with existing and proposed land uses and should not establish an undesirable precedent in the area to be developed.

This property is located in the North Sector. The North Sector is primarily suited for residential development. However, the area can also accommodate some commercial developments. Any shopping centers or a community, metropolitan, or regional nature should locate within or near existing or approved commercial developments. Commercial developments along I-69 should be restricted to uses that service the needs of motorists on the interstates. There should not be any significant new industrial developments in the North Sector.

Neighborhood Plan: No comment received.

Planning Staff Discussion:

Applicant is seeking a downzoning of this parcel to accommodate the development of a dual branded Amoco Oil Company gas station and convenience store with a McDonald's Corporation restaurant. The petition is submitted since this is the only development proposed at the current time. Concurrent development of the remainder of the surrounding B-2-B is not proposed at this time, nor is it scheduled for the immediate future.

This parcel is currently part of a zoned "planned shopping center" district. The B-2-B district is designed to provide a variety of merchandise and services similar to a neighborhood shopping center. Site development is subject to Plan Commission approval, and seeks to provide a unified development of appropriate scale and design.

The Zoning Ordinance requires that a primary development plan be submitted for the entire shopping center, while a secondary development plan may be submitted for either the entire tract, or a portion thereof.

The Commission will remember references being made to this area while reviewing the petition for a shopping center at St. Joe Center and Maplecrest Roads. Both the northwest and southwest corners have been zoned for shopping center development since 1978, but have remained undeveloped. No valid development plan exists for either of these planned shopping centers. Submission requirements to allow development of this site under the B-2 designation would include a complete development plan for the entire acreage along with a traffic study and trade area description, including projected effects on the demographic characteristics of and the physical growth of the trade area and the community. Following any approval of the primary development plan submittal, the applicant would need to submit and obtain a secondary development plan approval for the site in question. Once all conditions of approval were satisfied, construction could begin.

As indicated above, the owners do not plan full development of the acreage anytime in the near future, and as a result are unable to submit an accurate development plan for the entire acreage at this time. However, they would still like to sell off this parcel and see this development start. (It should be noted that sell-offs in a B-2 district are exempt from the Subdivision Control Ordinance, but not in B-1-B districts.)

The Commission needs to determine if the current zoning is appropriate, or if a rezoning should occur. The planned shopping center district requires certain limitations on development, and aesthetic considerations that are not requirements of the B-1-B district. The B-2 classification would limit the number and size of free standing signs, limit the total amount of developed gross floor area, and maximum tenant size, as well as require more unified site elements and landscaping. The B-1-B zoning, if approved, would allow a 100 square foot free standing sign on each street frontage, and have minimal landscape

requirements based on current Zoning Ordinance standards.

Fortunately, if the Commission elects to recommend approval, the proposed site is the far southeast corner of the acreage, and would therefore be surrounded on two sides by future shopping center development. Maplecrest Road is the east property line, with residential development located across the street, while the south boundary is Rothman Road, with undeveloped shopping center acreage located across Rothman Road to the south.

In the past the Commission has reviewed somewhat similar situations, and has elected to either rezone the entire shopping center acreage, or to recommend that the established zoning and procedures be adhered to. However, in those past situations, a development plan had been in place for the entire acreage, which is not the case here. Staff would also note that this type of development (gas station / convenience store) often leads to requests for setback waivers for canopies and structures.

The questions which the Commission must examine in evaluating this petition are primarily twofold. First, are the circumstances in this case sufficient to allow a deviation from the previously established planned shopping center designation? Commercial uses have been projected for this acreage for almost 20 years. The comprehensive plan supports this commercial development, but states that uses should be compatible with existing and proposed land uses and should not establish an undesirable precedent in the area to be developed.

Are the petitioners circumstances sufficient to warrant the Commission to recommend that this acreage be removed from the planned shopping center designation and be allowed to develop under B-1-B controls?

The second question is a dual concern with precedent and equitable development standards. Are the circumstances sufficient to allow a rezoning without establishing a precedent that would need to be applied in similar circumstances? Is the fact that an approved, valid, development plan does not exist sufficient to rezone the tract, or the entire acreage? Is it appropriate to have non-planned zoning districts intermingled with planned designations?

The other issue is the differences in development standards between the zoning classifications. Examples include; limitations on free standing signage, typical setbacks differences, increased landscape screening and buffering as opposed to current minimal landscape requirements in connection with parking lot improvements, etc.

Staff would prefer to see the entire acreage developed under the development plan procedure in order to provide an equitable set of standards to all developments on the acreage, and to provide minimum protection for less intense uses. Development should feature coordinated and unified site plan concepts. minimizing the impacts on the surrounding areas, and

addressing the overall public infrastructure and safety issues.

From an infrastructure viewpoint, when an entire shopping center concept is presented, engineering departments are in a better position to evaluate the entire impact and demands of such development on the infrastructure. While this does not necessarily guarantee the timely development of the center, it does allow analysis of current and future demands. A prime example of this is the "power strip" at Apple Glen, which has only a one parcel development, while the potential future demands of full development have been evaluated and used in impact analysis for other proposed projects.

The developer shares our concerns with the concept of unified development and has submitted a proposed site plan for preliminary routing for this site that would utilize proposed access points that would eventually serve the entire center. While review comments were typical for B-1-B development, there were requirements for relocation of proposed internal access points, the need for a determination of whether or not the storm sewers are adequate, and a "red zone" sanitary sewer capacity problem.

WPC Engineering has identified this area as being located in a defined sanitary sewer "red zone" and could not approve sanitary extensions unless the Board of Public Works grants a waiver for development.

The Subdivision Control Ordinance exempts land that is designated or contained within planned zoning districts. The reason for this exemption is that a formal development plan approval establishes the minimum infrastructure improvements that are needed to allow development. The B-1-B designation does not enjoy such an exemption, and would require, at a minimum, submittal for "Administrative Approval" under the terms of the Subdivision Control Ordinance. That approval requires that the parcel be served by public water and public sewer as well as public right-of-way. It further limits such approval to one sell-off per year. The "red zone" issue may complicate the ability to sell off this parcel.

Staff is concerned with the potential precedent that approval may create, especially the establishment of unequal development standards, and with the advisability of rezoning a small portion of the acreage for immediate development, especially when the entire area is in a problem sewer capacity area. If adequate controls can be placed on the proposal with regard to signage and landscaping, and if it can be made clear that this is a short term attempt to accommodate a specific development proposal that has been presented at this time, it may be possible to adequately address those concerns.

Recommendation: No recommendation at this time. Staff wants to see how the applicant addresses the issues that have been raised prior to making a formal recommendation. The proposed Zoning Ordinance amendment currently under review would allow for

additional controls for this type of request (written commitments and expanded development plan and landscaping standards and requirements). However, those controls are not in place at this time. If adequate controls cannot be established for this request, it may be that this request is premature at this time.

REGULATORY RESOLUTION NO. 58/97/E

(Adopted 09/18/97)

WHEREAS, Section 70.30, Title 7 of the Code of the City of Fort Wayne, Indiana of 1986 authorized the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 70.30 of said Title delegates to this Board authority to:

STOP INTERSECTION

WHEREAS, the City Traffic Engineer has, by written memorandum dated 08/14/97, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the Office of the Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That pursuant to the authority delegated to this Board, Section 70.30, Title 7 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective 09/18/97, and when signs are erected pursuant hereto giving notice thereof, that the following is established:

STOP INTERSECTION

Taylor St.

-stop-

(EMERGENCY)

for N. Washington Rd./
Randall Rd.

TRAFFIC ENGINEERING DEPARTMENT

REPORT NO. BPS/51/97 SHEET 1 OF 1 DATE August 14, 1997

TO: PAYNE BROWN - BOARD OF PUBLIC SAFETY

FROM: TOM MANNY - TRAFFIC ENGINEER

SUBJECT: **STOP INTERSECTION**

Please be advised our office has completed a review of the intersection of Taylor St., N. Washington Rd. and Randall Rd. regarding control. A combination of traffic volume, accident experience, and restricted sight distance satisfies minimum warrants for multi-way stop control.

It is hereby recommended that the Board of Public Safety authorize the following:

STOP INTERSECTION

(EMERGENCY)

Taylor St. - stop - for N. Washington Rd./
Randall Rd.

Sincerely,

Wm. H. H. H. H.

Tom Manny
Traffic Engineer

TM/ld

cc: Richard Bacon
file

Ad
2-15-97

REGULATORY RESOLUTION NO. 59/97/E

(Adopted 09/18/97)

WHEREAS, Section 70.30, Title 7 of the Code of the City of Fort Wayne, Indiana of 1986 authorized the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 70.30 of said Title delegates to this Board authority to:

PARKING CONTROL

WHEREAS, the City Traffic Engineer has, by written memorandum dated 08/15/97, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the Office of the Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That pursuant to the authority delegated to this Board, Section 70.30, Title 7 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective 09/18/97, and when signs are erected pursuant hereto giving notice thereof, that the following is established:

ONE HOUR PARKING 8 A.M. TO 6 P.M.

(EMERGENCY)

Broadway

-west side-

from 90' south of
Taylor St. to 50'
north of Michigan

DELETE:

NO PARKING

(EMERGENCY)

Broadway

-west side-

from 90' south of
Taylor St. to 50'
north of Michigan

5/9/97

TRAFFIC ENGINEERING DEPARTMENT

REPORT NO. BPS/52/97 SHEET 1 OF 1 DATE August 15, 1997

TO: PAYNE BROWN - BOARD OF PUBLIC SAFETY

FROM: TOM MANNY - TRAFFIC ENGINEER

SUBJECT: PARKING CONTROL

Please be advised our office has received a petition from the business owners in the 2000 block of Broadway requesting a 1 hour parking restriction on the west side. This area is currently no parking; however, the existing pavement widths on Broadway will allow adequate space for on-street parking.

It is hereby recommended the Board of Public Safety authorize the following:

ONE HOUR PARKING 8 A.M. TO 6 P.M. EMERGENCY


Broadway - west side - from 90' south of Taylor St. to 50' north of Michigan

DELETE:

NO PARKING EMERGENCY

Broadway - west side - from 90' south of Taylor St. to 50' north of Michigan

Sincerely,


Tom Manny
Traffic Engineer

TM/ld

Sds
9-18-97

cc: Richard Bacon
file

REGULATORY RESOLUTION NO. 60/97/E

(Adopted 09/18/97)

WHEREAS, Section 70.30, Title 7 of the Code of the City of Fort Wayne, Indiana of 1986 authorized the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 70.30 of said Title delegates to this Board authority to:

PARKING REGULATION

WHEREAS, the City Traffic Engineer has, by written memorandum dated 08/15/97, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the Office of the Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That pursuant to the authority delegated to this Board, Section 70.30, Title 7 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective 09/18/97, and when signs are erected pursuant hereto giving notice thereof, that the following is established:

NO PARKING

Red Haw Drive

-east side-

(EMERGENCY)

from its north
terminus to 300'
south thereof

5/1/6

SUBJECT: **PARKING REGULATION**

It is hereby recommended the Board of Public Safety authorize the following:

EMERGENCY

Red Haw Dr. - east side - from it's north
terminus to
300' south
thereof

Sincerely,

Tom Morrey

Tom Manny
Traffic Engineer

TM/ld

cc: Richard Bacon
file

4ds
9-18-47

REGULATORY RESOLUTION NO. 61/97/E

(Adopted 09/18/97)

WHEREAS, Section 70.30, Title 7 of the Code of the City of Fort Wayne, Indiana of 1986 authorized the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 70.30 of said Title delegates to this Board authority to:

STOP INTERSECTION

WHEREAS, the City Traffic Engineer has, by written memorandum dated 08/22/97, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the Office of the Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That pursuant to the authority delegated to this Board, Section 70.30, Title 7 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective 09/18/97, and when signs are erected pursuant hereto giving notice thereof, that the following is established:

STOP INTERSECTION

Thurber Ave.

-stop-

(EMERGENCY)

for Ideal Ave.

TRAFFIC ENGINEERING DEPARTMENT

REPORT NO. BPS/54/97 SHEET 1 OF 1 DATE August 22, 1997

TO: PAYNE BROWN - BOARD OF PUBLIC SAFETY

FROM: TOM MANNY - TRAFFIC ENGINEER

SUBJECT: STOP INTERSECTION

Please be advised our office has received a request to review the intersection of Ideal Ave. and Thurber Ave. regarding control.

A combination of traffic volume and geometric design satisfies minimum warrants for stop control.

It is hereby recommended that the Board of Public Safety authorize the following:

STOP INTERSECTION (EMERGENCY)

Thurber Ave. - stop - for Ideal Ave.

Sincerely,


Tom Manny
Traffic Engineer

TM/ld

cc: Richard Bacon
file

Dds
9-18-97

REGULATORY RESOLUTION NO. 62/97/E

(Adopted 09/18/97)

WHEREAS, Section 70.30, Title 7 of the Code of the City of Fort Wayne, Indiana of 1986 authorized the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 70.30 of said Title delegates to this Board authority to:

STOP INTERSECTION

WHEREAS, the City Traffic Engineer has, by written memorandum dated 08/26/97, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the Office of the Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That pursuant to the authority delegated to this Board, Section 70.30, Title 7 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective 09/18/97, and when signs are erected pursuant hereto giving notice thereof, that the following is established:

STOP INTERSECTION

(EMERGENCY)

Victoria Woods

-stop-

for Fox Orchard
Run

Chappel Hill

-stop-

for Fox Orchard
Run

TRAFFIC ENGINEERING DEPARTMENT

REPORT NO. BPS/55/97 SHEET 1 OF 1 DATE August 26, 1997

TO: PAYNE BROWN - BOARD OF PUBLIC SAFETY

FROM: TOM MANNY - TRAFFIC ENGINEER

SUBJECT: STOP INTERSECTION

Please be advised our office has received a request to review two intersections in the Hearthstone sub-division regarding control. A combination of traffic volume and geometric design satisfies minimum warrants for stop control.

It is hereby recommended that the Board of Public Safety authorize the following:

STOP INTERSECTION (EMERGENCY)

Victoria Woods	- stop -	for Fox Orchard Run
Chappel Hill	- stop -	for Fox Orchard Run

Sincerely,



Tom Manny
Traffic Engineer

TM/ld

cc: Richard Bacon
file

9-18-97
Pds

REGULATORY RESOLUTION NO. 63/97/E

(Adopted 09/18/97)

WHEREAS, Section 70.30, Title 7 of the Code of the City of Fort Wayne, Indiana of 1986 authorized the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 70.30 of said Title delegates to this Board authority to:

PARKING REGULATIONS

WHEREAS, the City Traffic Engineer has, by written memorandum dated 08/29/97, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the Office of the Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That pursuant to the authority delegated to this Board, Section 70.30, Title 7 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective 09/18/97, and when signs are erected pursuant hereto giving notice thereof, that the following is established:

NO PARKING

(EMERGENCY)

N. Washington Road -both sides-

from Freeman St.
to 135' west thereof

DELETE:

NO PARKING

(EMERGENCY)

N. Washington Road -both sides-

from Freeman St. to
275' west thereof

1946

TO: PAYNE BROWN - BOARD OF PUBLIC SAFETY

SUBJECT: PARKING REGULATION

It is hereby recommended that the Board of Public Safety authorize the following:

N. Washington Rd. - both sides - from Freeman St.
to 135' west
thereof

NO PARKING (EMERGENCY)

N. Washington Rd.

- both sides -

from Freeman St.
to 275' west
thereof

Tom Manning

TM/lld

Dds
9-18-97

REGULATORY RESOLUTION NO. 64/97/D

(Adopted 09/18/97)

WHEREAS, Section 70.30, Title 7 of the Code of the City of Fort Wayne, Indiana of 1986 authorized the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 70.30 of said Title delegates to this Board authority to:

PREFERENTIAL INTERSECTION

WHEREAS, the City Traffic Engineer has, by written memorandum dated 09/05/97, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the Office of the Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That pursuant to the authority delegated to this Board, Section 70.30, Title 7 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective 09/18/97, and when signs are erected pursuant hereto giving notice thereof, that the following is established:

PREFERENTIAL INTERSECTION

(DELEGATED)

Curdes Ave.

-preferential-

at Lawndale Dr.

7006 7

TRAFFIC ENGINEERING DEPARTMENT

REPORT NO. BPS/57/97 SHEET 1 OF 1 DATE September 5, 1997

TO: PAYNE BROWN - BOARD OF PUBLIC SAFETY

FROM: TOM MANNY - TRAFFIC ENGINEER

SUBJECT: **PREFERENTIAL INTERSECTION**

Please be advised our office has completed a review of the intersection of Curdes Ave. and Lawndale Dr. regarding control. A combination of traffic volume and geometric design satisfies minimum warrants for yield control.


It is hereby recommended that the Board of Public Safety authorize the following:

PREFERENTIAL INTERSECTION

(DELEGATED)

Curdes Ave. - preferential - at Lawndale Dr.

Sincerely,


Tom Manny
Traffic Engineer

TM/ld

cc: Richard Bacon
file

File
9-18-97

REGULATORY RESOLUTION NO. 65/97/E

(Adopted 09/18/97)

WHEREAS, Section 70.30, Title 7 of the Code of the City of Fort Wayne, Indiana of 1986 authorized the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 70.30 of said Title delegates to this Board authority to:

IMPAIRED MOBILITY ORDINANCE

WHEREAS, the City Traffic Engineer has, by written memorandum dated 09/10/97, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the Office of the Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That pursuant to the authority delegated to this Board, Section 70.30, Title 7 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective 09/18/97, and when signs are erected pursuant hereto giving notice thereof, that the following is established:

IMPAIRED MOBILITY ORDINANCE

(EMERGENCY)

821 McKinnie

-south side-

from 120' west of
South Park Drive
to 20' west
thereof

16/21/1
TRAFFIC ENGINEERING DEPARTMENT

REPORT NO. BPS/58/97 SHEET 1 OF 1 DATE September 10, 1997

TO: PAYNE BROWN - BOARD OF PUBLIC SAFETY

FROM: TOM MANNY - TRAFFIC ENGINEER

SUBJECT: IMPAIRED MOBILITY ORDINANCE

Please be advised the following Residential (public street) Impaired Mobility Parking application has been submitted to this office as required by the Impaired Mobility Ordinance. The Traffic Engineering Department has reviewed this location and has prepared a map to identify it.

Pending your approval, this location will be properly identified with signs and submitted to Fort Wayne Police Department for selective enforcement.

It is hereby recommended that the Board of Public Safety authorize the following:

IMPAIRED MOBILITY PARKING (RESIDENTIAL)

(EMERGENCY)

821 McKinnie Ave.

- south side -

from 120' west
of South Park Dr.
to 20' west
thereof

Sincerely,

Tom Manny

Tom Manny
Traffic Engineer

TM/ld

John
9-18-97

cc: Dennis Bruce
file

REGULATORY RESOLUTION NO. 66/97/E

(Adopted 09/18/97)

WHEREAS, Section 70.30, Title 7 of the Code of the City of Fort Wayne, Indiana of 1986 authorized the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 70.30 of said Title delegates to this Board authority to:

STOP INTERSECTION

WHEREAS, the City Traffic Engineer has, by written memorandum dated 09/11/97, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the Office of the Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That pursuant to the authority delegated to this Board, Section 70.30, Title 7 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective 09/18/97, and when signs are erected pursuant hereto giving notice thereof, that the following is established:

STOP INTERSECTION

(EMERGENCY)

Interlaken Dr.
Fair Oak Drive

-stop-
-stop-

for Donna Drive
for Donna Drive

TRAFFIC ENGINEERING DEPARTMENT

REPORT NO. BPS/59/97 SHEET 1 OF 1 DATE September 11, 1997

TO: PAYNE BROWN - BOARD OF PUBLIC SAFETY

FROM: TOM MANNY - TRAFFIC ENGINEER

SUBJECT: STOP INTERSECTION

Please be advised our office has received a request from the Lakewood Park Community Association to review two intersections within the neighborhood. A combination of geometric design and traffic volumes satisfies minimum warrants for stop control.

It is hereby recommended that the Board of Public Safety authorize the following:

STOP INTERSECTION (EMERGENCY)

Interlaken Dr.	- stop -	for Donna Dr.
Fairoak Dr.	- stop -	for Donna Dr.

Sincerely,


Tom Manny
Traffic Engineer

TM/ld

cc: Richard Bacon
file

Dob
9/18/97

REGULATORY RESOLUTION NO. 67/97/E

(Adopted 09/18/97)

WHEREAS, Section 70.30, Title 7 of the Code of the City of Fort Wayne, Indiana of 1986 authorized the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 70.30 of said Title delegates to this Board authority to:

IMPAIRED MOBILITY ORDINANCE

WHEREAS, the City Traffic Engineer has, by written memorandum dated 09/16/97, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the Office of the Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That pursuant to the authority delegated to this Board, Section 70.30, Title 7 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective 09/18/97, and when signs are erected pursuant hereto giving notice thereof, that the following is established:

IMPAIRED MOBILITY PARKING (RESIDENTIAL)

1433 Swinney Ave.

-south side-

(EMERGENCY)

from 125' east
of Riedmiller
Ave. to 20' east
thereof

67/10/1E

TRAFFIC ENGINEERING DEPARTMENT

REPORT NO. BPS/60/97 SHEET 1 OF 1 DATE September 16, 1997

TO: PAYNE BROWN - BOARD OF PUBLIC SAFETY

FROM: TOM MANNY - TRAFFIC ENGINEER

SUBJECT: IMPAIRED MOBILITY ORDINANCE

Please be advised the following Residential (public street) Impaired Mobility Parking application has been submitted to this office as required by the Impaired Mobility Ordinance. The Traffic Engineering Department has reviewed this location and has prepared a map to identify it.

Pending your approval, this location will be properly identified with signs and submitted to Fort Wayne Police Department for selective enforcement.

It is hereby recommended that the Board of Public Safety authorize the following:

IMPAIRED MOBILITY PARKING (RESIDENTIAL)

(EMERGENCY)

1433 Swinney Ave.

- south side -

from 125' east
of Riedmille Ave.
to 20' east
thereof

Sincerely,

Tom Manny

Tom Manny
Traffic Engineer

TM/ld

cc: Dennis Bruce
file

Deb
9-18-97

REGULATORY RESOLUTION NO. 68/97/E

(Adopted 09/18/97)

WHEREAS, Section 70.30, Title 7 of the Code of the City of Fort Wayne, Indiana of 1986 authorized the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 70.30 of said Title delegates to this Board authority to:

PARKING REGULATIONS

WHEREAS, the City Traffic Engineer has, by written memorandum dated 09/16/97, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the Office of the Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That pursuant to the authority delegated to this Board, Section 70.30, Title 7 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective 09/18/97, and when signs are erected pursuant hereto giving notice thereof, that the following is established:

NO PARKING

(EMERGENCY)

Euclid Ave.	-east side-	from Oxford Street to 115' south thereof
Euclid Ave.	-west side-	from Oxford Street to 480' south thereof

DELETE:

NO PARKING 7 A.M. TO 4 P.M. SCHOOL DAYS ONLY (EMERGENCY)

Euclid Ave.	-west side-	from Oxford Street to 480' south thereof
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6015716

TRAFFIC ENGINEERING DEPARTMENT

REPORT NO. BPS/61/97 SHEET 1 OF 1 DATE September 16, 1997

TO: PAYNE BROWN - BOARD OF PUBLIC SAFETY

FROM: TOM MANNY - TRAFFIC ENGINEER

SUBJECT: PARKING REGULATION

Please be advised our office has completed a traffic study on Euclid Ave for Irwin Elementary School. The Fort Wayne Community has constructed a pull off lane on the west side of Euclid Ave. for all school buses; therefore, the existing on-street parking restriction requires the changes below.

It is hereby recommended that the Board of Public Safety authorize the following:

NO PARKING

(EMERGENCY)

Euclid Ave - east side - from Oxford St.
to 115' south
thereof

Euclid Ave. - west side - from Oxford St.
to 480' south
thereof

DELETE:

NO PARKING 7AM to 4 PM School Days Only

(EMERGENCY)

Euclid Ave. - west side - from Oxford St.
to 480' south
thereof

Sincerely,

Tom Manny

Tom Manny
Traffic Engineer

TM/ld

cc: Richard Bacon
file

*Dde
71847*

THE COUNCIL THEN ADJOURNED

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk, of Fort Wayne, Indiana, and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana, for its Regular Session, held on 23rd day of September, 19 97, that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 29th day of September, 19 97.

SANDRA E. KENNEDY

CITY CLERK